

2020R00679/MHR

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

MICHAEL KASCHAK

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:
:
:
:

Criminal No. 23-648(ZNQ)

18 U.S.C. § 641

RECEIVED

AUG 15 2023

INFORMATION

AT 8:30 _____ M
CLERK, U.S. DISTRICT COURT - DNJ

The defendant having waived in open court prosecution by Indictment,
the United States Attorney for the District of New Jersey charges:

At all times relevant to this Information, unless otherwise noted:

1. The United States Social Security Administration ("SSA") was an agency of the executive branch of the United States government. The SSA, among other things, maintained the Retirement, Survivors, and Disability Insurance ("RSDI") program under Title II of the Social Security Act, Title 42, United States Code, Section 401 et seq., for eligible individuals. The RSDI program paid out benefits to certain eligible individuals ("SSA Benefits").

2. J.K. was born in 1928 and began collecting Title II Retirement Insurance Benefits ("RIB") in 1993. J.K. died on or about July 18, 2015.

3. Defendant MICHAEL KASCHAK ("KASCHAK") was J.K.'s son and a resident of Bayhead, New Jersey.

4. J.K.'s social security benefits were paid by direct deposit into a bank account ending in 9299 ("the 9299 account") for which KASCHAK was a co-account holder.

5. KASCHAK failed to notify the SSA of J.K.'s death. After J.K.'s death, neither KASCHAK nor any other individual was entitled to receive Title II Benefits on J.K.'s behalf.

6. Because KASCHAK did not inform the SSA of J.K.'s death in July of 2015, the SSA continued to make monthly RIB payments into the 9299 bank account for the benefit of J.K. until in or about April 2020.

7. At various times after the deposits, KASCHAK accessed the 9299 bank account and used the SSA funds for his own purposes.

8. The amount of benefits that KASCHAK collected to which he was not entitled was approximately \$120,000.

9. From in or about July 2015 through in or about April 2020, in Ocean County, in the District of New Jersey and elsewhere, the defendant,

MICHAEL KASCHAK,

did knowingly and intentionally embezzle, steal, purloin, and convert to his own use, and the use of another, money of the United States and the SSA, in an amount greater than \$1,000, to which he was not entitled.

In violation of Title 18, United States Code, Section 641.

FORFEITURE ALLEGATION

1. The allegations contained in this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 28, United States Code, Section 2461(c).

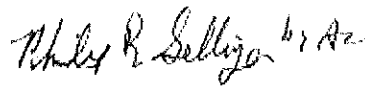
2. The United States hereby gives notice to the defendant that, upon conviction of the offense charged in this Information, the government will seek forfeiture, in accordance with Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 981(a)(1)(C), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 641, alleged in this Information, including but not limited to a sum of money equal to at least \$120,000 in United States currency.

3. If by any act or omission of the defendant, any of the property subject to forfeiture described in paragraph 2 herein:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty,

the United States of America will be entitled to forfeiture of substitute property up to the value of the property described above in paragraph 2, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

Handwritten signature of Philip R. Sellinger in cursive script.

PHILIP R. SELLINGER
United States Attorney

CASE NUMBER: 23-cr-648 (ZMQ)

**United States District Court
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UNITED STATES OF AMERICA

v.

MICHAEL KASCHAK

INFORMATION FOR

18 U.S.C. § 641

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